

State of Vermont

Buildings and General Services
Office of Purchasing & Contracting
10 Baldwin St
Montpelier VT 05633-7501
United States

CONTRACT



Vendor ID 0000283499
A T & T Mobility
PO Box 536216
Atlanta GA 30353-6216
United States

Contract ID 0000000000000000000015006		Page 1 of 3
Contract Dates 05/04/2009 to 10/09/2010		Origin CPS
Description: CPS-AT&T CELLULAR SERVICE		Contract Maximum \$999,999,999.00
Buyer Name McIntyre,John	Buyer Phone	Contract Status Approved

Phone #:

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1		AT&T MOBILITY CELLULAR SERVICE IN ACCORDANCE WITH THE WSCA MASTER AGREEMENT # 1523 FOR WIRELESS COMMUNICATION SERVICES AND EQUIPMENT	EA	0.00010	0.00	0.00

THIS CONTRACT INCLUDES (A) THIS VERMONT CONTRACT #15006; (B) THE ATTACHED PARTICIPATING ADDENDUM; (C) THE ATTACHED MASTER AGREEMENT (AS DEFINED IN THE PARTICIPATING ADDENDUM: (D) THE ADDITIONAL TERMS AND CONDITIONS TO THE NASPO TERMS AND CONDITIONS, ATTACHED AS EXHIBIT A TO THE PARTICIPATING ADDENDUM; AND (E) THE ATTACHED REQUIRED FORMS, COOPERATIVE PROCUREMENTS. EACH AND ALL OF WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE (COLLECTIVELY, THE "CONTRACT")

CONTRACT TERMS AND ADDITIONAL INFORMATION

THIS CONTRACT IS WRITTEN UNDER THE AUTHORITY GIVEN TO THE COMMISSIONER OF BUILDINGS AND GENERAL SERVICES IN 29 VSA, PARAGRAPH 903A TO PARTICIPATE IN COOPERATIVE PURCHASING AGREEMENTS WITH OTHER STATES. THIS CONTRACT IS WRITTEN TO ALLOW THE STATE OF VERMONT (THE "STATE" OR "PARTICIPANT") TO PARTICIPATE IN THE WESTERN STATES CONTRACTING ALLIANCE (WSCA) MASTER PRICE AGREEMENT WITH AT&T MOBILITY NATIONAL ACCOUNTS LLC (CONTRACTOR), CONTRACT #1523, DATED OCTOBER 10, 2006, AS AMENDED FOR THE PURCHASE OF CELLULAR PHONES AND CELLULAR SERVICE AND RELATED PRODUCTS AND SERVICES. THE WSCA CONTRACT IS INCORPORATED HEREIN SUBJECT TO THE FOLLOWING ORDER OF PRECEDENCES:

THE STATE AND THE CONTRACTOR AGREE THAT IN THE EVENT OF A CONFLICT BETWEEN THE TERMS CONTAINED IN THE CONTRACT, THE FOLLOWING ORDER OF PRECEDENCE WILL CONTROL:

- (A) VERMONT CONTRACT #15006
- (B) THE PARTICIPATING ADDENDUM
- (C) THE ADDITIONAL TERMS AND CONDITIONS TO THE NASPO TERMS AND CONDITIONS
- (D) THE MASTER AGREEMENT

UNDER THE CONTRACT, CONTRACTOR WILL WAIVE ALL TAXES THAT THE STATE OR OTHER PARTICIPATING ENTITY PROVIDES A TAX EXEMPT CERTIFICATE FOR.

TERMS: NET 30 DAYS

QUANTITY: THE ANNUAL VALUE AND QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE; ACTUAL PURCHASES MAY BE HIGHER OR LOWER DEPENDING ON THE STATE'S NEEDS.

CONTRACT PRICING: REFER TO CONTRACT ATTACHMENT DD - EXHIBIT "A", SECTION #1 AND #2 TO OBTAIN THE MOST RECENT PRICING OFFERS IN #1523

PRICING: ALL EQUIPMENT PRICING IS TO INCLUDE F.O.B. DELIVERY TO THE ORDERING FACILITY. NO REQUEST FOR EXTRA DELIVERY COST WILL BE HONORED. ALL EQUIPMENT SHALL BE DELIVERED ASSEMBLED, SERVICED, OILED, AND READY FOR IMMEDIATE USE, UNLESS OTHERWISE REQUESTED BY THE PURCHASING AGENCY.

QUALITY: ALL PRODUCTS PROVIDED UNDER THESE AGREEMENTS WILL BE NEW AND UNUSED, UNLESS OTHERWISE STATED. FACTORY SECONDS OR REMANUFACTURED PRODUCTS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY THE PURCHASING AGENCY. ALL PRODUCTS PROVIDED BY THE CONTRACTOR MUST MEET ALL FEDERAL, STATE, AND LOCAL STANDARDS FOR QUALITY AND SAFETY REQUIREMENTS. PRODUCTS NOT MEETING THESE STANDARDS WILL BE DEEMED UNACCEPTABLE AND RETURNED TO THE CONTRACTOR FOR CREDIT AT NO CHARGE TO THE STATE.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR ON THE VENDOR'S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES AND SHALL SPECIFY THE ADDRESS TO WHICH PAYMENTS WILL BE SENT.

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CONTRACT TERMS: THIS CONTRACT WILL BE SUBJECT TO REVIEW THROUGHOUT ITS TERM. THE STATE WILL CONSIDER CANCELLATION UPON DISCOVERY THAT A VENDOR IS IN VIOLATION OF ANY PORTION OF THE AGREEMENT, INCLUDING AN INABILITY BY THE VENDOR TO PROVIDE THE PRODUCTS, SUPPORT, AND/OR SERVICE OFFERED IN THEIR RESPONSE.

AUTHORIZED PARTICIPATING ENTITIES:

(A) GOVERNMENT ENTITIES WITHIN THE STATE OF VERMONT, INCLUDING ALL STATE AGENCIES, TOWNS AND CITIES, COURTS, COUNTIES, PUBLIC SAFETY INSTITUTIONS, PUBLIC SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION.

(B) VERMONT STATE COLLEGES: THIS CONTRACT IS ALSO AVAILABLE FOR USE BY THE UNIVERSITY OF VERMONT AND THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VERMONT, AND THE VERMONT TECHNICAL COLLEGE.

(C) TOWNS AND SCHOOLS OF THE STATE OF VERMONT: AT THE CONTRACTORS ELECTION POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN STATE CONTRACTS AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY FOR THESE PAYMENTS.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER / PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

THE CONTRACT SETS FORTH THE ENTIRE AGREEMENT BETWEEN THE PARTIES WITH RESPECT TO THE SUBJECT MATTER OF ALL PREVIOUS COMMUNICATIONS, REPRESENTATIONS OR AGREEMENTS, WHETHER ORAL OR WRITTEN, WITH RESPECT TO THE SUBJECT MATTER HEREOF. TERMS AND CONDITIONS INCONSISTENT WITH, CONTRARY OR IN ADDITION TO THE TERMS AND CONDITIONS OF THE CONTRACT WILL NOT BE ADDED TO OR INCORPORATED INTO THE CONTRACT BY ANY SUBSEQUENT PURCHASE ORDER OR OTHERWISE; AND ANY SUCH ATTEMPTS TO ADD OR INCORPORATE SUCH TERMS AND CONDITIONS ARE HEREBY REJECTED. THE TERMS AND CONDITIONS OF THIS CONTRACT WILL PREVAIL AND GOVERN IN THE CASE OF ANY SUCH INCONSISTENT OR ADDITIONAL TERMS.

CUSTOMER SATISFACTION SURVEY: TO HELP US UNDERSTAND HOW WE CAN BETTER SERVE YOU, WE ARE INTERESTED IN RECEIVING YOUR COMMENTS REGARDING THE QUALITY OF SERVICE YOU RECEIVED IN YOUR MOST RECENT INTERACTION WITH THE DEPARTMENT OF BUILDINGS & GENERAL SERVICES (BGS). PLEASE COMPLETE THE ON-LINE CUSTOMER COMMENT FORM AT:
http://www.bgs.state.vt.us/forms/bgs_surveys/index.php?type=customer&action=customer

CONTACT FOR SERVICE AND QUESTIONS:

KAREN D VACCARO
GOVERNMENT ACCOUNT EXECUTIVE
AT&T MOBILITY
238 EAST MAIN RD
MIDDLETOWN, RI 02842
PHONE: 401-683-8243
FAX: 401-633-6415
EMAIL: KAREN.VACCARO@ATT.COM

IF YOU HAVE ANY QUESTIONS REGARDING THIS DOCUMENT PLEASE CONTACT:
JOHN MCINTYRE
PURCHASING AGENT
802-828-2210
FAX 802-828-2222

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john.mcintyre@state.vt.us						

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT

By the CONTRACTOR

Date: _____

Date: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Email: _____

Email: _____